

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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THE CITY OF NEW YORK and THE PEOPLE OF THE  
STATE OF NEW YORK,

Plaintiffs,

Civ. Nos. 13-cv-9173-ER-KNF

-against-

**NOTICE OF MOTION**

FEDEX GROUND PACKAGE SYSTEM, INC. and  
FEDERAL EXPRESS CORP.,

Defendants.

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**PLEASE TAKE NOTICE**, that on the Declaration of Eric Proshansky dated July 16, 2015, and the accompanying Memorandum of Law, on a date to be determined by the Court, plaintiffs the City of New York and The People Of The State Of New York will move this Court for an order, pursuant to Federal Rule of Civil Procedure 12(f), dismissing the Fourth, Fifth, Sixth, Eighth, Tenth, Eleventh, Twelfth, Thirteenth, Fifteenth, Seventeenth, Eighteenth, and Twenty-third Affirmative Defenses set forth in the Answer of Defendant FedEx Ground Package System, Inc. and for such other and further relief as the Court deems necessary.

Dated: New York, New York  
July 16, 2015

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